

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN EDWARD BUTCHER**, on April 1, 2003 at 3 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Edward Butcher, Chairman (R)
Sen. Duane Grimes, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Vicki Cocchiarella (D)
Sen. Mike Cooney (D)
Sen. Aubyn Curtiss (R)
Sen. Bob DePratu (R)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Glenn Roush (D)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Branch
Roberta Opel, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Executive Action: HB 270, HB 369, HB 538, HB 556, HB 559

EXECUTIVE ACTION ON HB 270

Motion: Motion by SEN. DUANE GRIMES HB 270 BE CONCURRED IN.

Substitute Motion: SEN. BOB DEPRATU moved AMENDMENT
HB027001.apm. **EXHIBIT**(his69a01)

Discussion:

3:24pm Begin

Vote: Motion to adopt AMENDMENT HB027001.apm carried
unanimously.

Motion: Motion by SEN. COCCHIARELLA HB 270 BE CONCURRED IN AS
AMENDED.

Discussion:

3:26pm Begin

Vote: Motion HB 270 BE CONCURRED IN AS AMENDED carried
unanimously.

EXECUTIVE ACTION ON HB 369

Motion: Motion by SEN. MIKE COONEY HB 369 BE CONCURRED IN.

Discussion:

3:28pm Begin

3:31pm End

3 min Elapsed time

Technical Judiciary Courts information distributed by Sheri
Heffelfinger, legislative staff **EXHIBIT**(his69a02)

Vote: Motion carried unanimously.

Discussion:

3:32pm Begin

3:34pm End

2 min Elapsed time

EXECUTIVE ACTION ON HB 538

Motion: Motion by SEN. SHERM ANDERSON HB 538 BE CONCURRED IN.

AMENDMENT HB053804.apm was distributed to the committee.

EXHIBIT(his69a03)

Discussion:

Informational Witnesses and Testimony:

Brenda Nordlund, Chief Legal Counsel, MT. Dept. of Justice

EXHIBIT(his69a04)

Vote: Motion to adopt AMENDMENT HB053804.apm carried unanimously.

Motion: Motion by SEN. DUANE GRIMES to adopt AMENDMENT
HB053801.apm. **EXHIBIT**(his69a05)

Discussion:

3:37pm Begin

Vote: Motion to adopt AMENDMENT HB053801.apm carried
unanimously.

Discussion:

3:44pm Begin

3:45pm End

1 min Elapsed time

Motion: Motion by SEN. ANDERSON to adopt AMENDMENT HB053801.adb.
EXHIBIT(his69a06)

Vote: Motion carried unanimously.

Amendment HB053805.apm was distributed to the committee.

EXHIBIT(his69a07)

Discussion:

3:46pm Begin

Motion/Vote: Motion by SEN. HARRINGTON to adopt AMENDMENT
HB053805.apm. Motion carried unanimously.

Motion: Motion by SEN. MIKE COONEY HB 538 BE CONCURRED IN AS AMENDED.

Discussion:

3:48pm Begin
3:50pm End
2 min Elapsed time

Vote: Motion carried 11-1 with SEN. GLENN ROUSH voting no.

EXECUTIVE ACTION ON HB 556

AMENDMENTS to HB 556 were distributed to the committee.

EXHIBIT(his69a08) **EXHIBIT**(his69a09)

Motion: Motion by SEN. DUANE GRIMES to strip all previous amendments to the bill.

Discussion:

3:54pm Begin
3:55pm End
1 min Elapsed time

Substitute Motion: Substitute motion by SEN. GRIMES to withdraw his previous motion and adopt AMENDMENT HB055601.apm.

Vote: Motion carried unanimously.

Discussion:

3:58pm Begin
3:59pm End
1 min Elapsed time

Motion: Motion by SEN. GRIMES HB 556 BE CONCURRED IN AS AMENDED.

Discussion:

4:00pm Begin
4:02pm End
2 min Elapsed time

Substitute Motion: Substitute motion by SEN. GRIMES HB 556 BE INDEFINITELY POSTPONED failed 6-6 on a roll call vote with SENATORS COCCHIARELLA, DEPRATU, HARRINGTON, KITZENBERG, PEASE and GRIMES voting no.

Substitute Motion: Substitute Motion HB 556 BE CONCURRED IN AS AMENDED carried 9-3 with SENATORS COCCHIARELLA, HARRINGTON and PEASE voting no.

Discussion:

4:03pm Begin

Substitute Motion: Substitute motion by SEN. DEPRATU HB 556 BE CONCURRED IN AS AMENDED.

Discussion:

4:07pm Begin

Vote: Motion HB 556 BE CONCURRED IN AS AMENDED carried 9-3 with SENATORS HARRINGTON, GRIMES and COCCHIARELLA voting no.

EXECUTIVE ACTION ON HB 559

AMENDMENT HB055901.apm was distributed to the committee.
EXHIBIT(his69a10)

Discussion:

4:10pm Begin

Motion: Motion by SEN. AUBYN CURTISS HB 559 BE CONCURRED IN. SEN. CURTISS moved AMENDMENT HB055901.apm.

Discussion:

4:12pm Begin

4:13pm End

1 min Elapsed time

Vote: AMENDMENT HB055901.apm was adopted by the committee.

Motion: Motion by SEN. Grimes HB 559 BE CONCURRED IN AS AMENDED.

Discussion:

4:14pm Begin

4:15pm End

1 min Elapsed time

Vote: Motion HB 559 BE CONCURRED IN AS AMENDED carried unanimously.

Motion: Motion by SEN. DAN HARRINGTON to reconsider previous committee action on HB 189.

Discussion:

4:16pm Begin

4:25pm End

9 min Elapsed time

Vote: Motion to reconsider carried 7-5 on a roll call vote with SENATORS ANDERSON, CURTISS, O'NEIL, PEASE, and ROUSH voting no.

Motion: Motion by SEN. JERRY O'NEIL to adopt a conceptual amendment to the bill.

Substitute Motion: Substitute motion by SEN. O'NEIL to adopt an additional amendment to the bill.

Discussion:

4:29pm Begin

Informational Witnesses and Testimony:

4:32pm Jim Currie, MT. Dept. of Transportation

Motion: Motion by SEN. COONEY HB 189 BE CONCURRED IN AS AMENDED.

Discussion:

4:42pm Begin

Vote: Motion failed 6-6 on a roll call vote with SENATORS ANDERSON, CURTISS, KITZENBERG, O'NEIL, PEASE and ROUSH voting no.

Informational Witnesses and Testimony:

4:48pm Ben Havdahl, Executive Consultant, Multi-State Highway Transportation Agreement (MSHTA), made a presentation to the committee. **EXHIBIT**(his69a11)

Discussion:

4:53pm Begin

4:59pm End

7 min Elapsed time

ADJOURNMENT

Adjournment: 5 P.M.

SEN. EDWARD BUTCHER, Chairman

ROBERTA OPEL, Secretary

EB/RO

EXHIBIT (his69aad)